

REMARKS

None of the claims have been amended or cancelled. Claims 1-4, 6, 7, 10 and 11 are pending and under consideration. Claims 1 and 10 are the independent claims. No new matter is presented in this Amendment.

DOUBLE PATENTING:

Claims 1-3 and 10-11 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending Application No. 10/735,850 in view of Kikuchi et al. (U.S. Patent No. 5,870,523).

Applicants respectfully traverse this rejection for at least the following reason. Independent claim 1 recites, amongst other novel features, an information storage medium comprising clip audio-video (AV) streams, clip information corresponding to the clip AV streams and playlist information which comprises at least one playitem that corresponds to the clip AV streams.

Claims 1 and 2 of co-pending Application No. 10/735,850, on the other hand, recite a method of reproducing motion picture data for different angles corresponding to a motion picture from an information storage medium, the method comprising reading clip AV streams and reproducing the read clips. However, claims 1 and 2 of co-pending Application No. 10/735,850 make no reference or suggestion of the playlist information comprising at least one playitem that corresponds to the clip AV streams.

Accordingly, Applicants respectfully assert that claims 1-3, 10 and 11 of the present application recite different features than those of the co-pending Application and respectfully request that the rejection of claims 1-3, 10 and 11, on the ground of non-statutory obviousness-type double patenting, be withdrawn.

Claims 4-7 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending Application No. 10/735,850 in view of Nakai et al. (U.S. Patent No. 5,999,698).

Initially, Applicants note that claim 5 was cancelled without prejudice or disclaimer in the Amendment filed on February 17, 2009, therefore the rejection of claim 5 is moot.

Applicants also note that claims 4, 6 and 7 depend from independent claim 1, and as noted above, claim 1 is distinguishable over co-pending Application No. 10/735,850 in that claim 1 recites different features than those of co-pending Application No. 10/735,850. Furthermore, Nakai also fails to teach the novel features of the independent claim. Accordingly, Applicants respectfully request that the rejection of claims 4, 6 and 7 on the ground of non-statutory obviousness-type double patenting be withdrawn due to their dependency from claim 1.

Claims 1-3 and 10-11 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending Application No. 10/735,823.

Applicants respectfully traverse this rejection for at least the following reason. Independent claim 1 recites, amongst other novel features, an information storage medium comprising clip audio-video (AV) streams, clip information corresponding to the clip AV streams and playlist information which comprises at least one playitem that corresponds to the clip AV streams.

Claims 1 and 2 of co-pending Application No. 10/735,823, on the other hand, recite an apparatus for reproducing motion picture data for different angles corresponding to a motion picture from an information storage medium, the apparatus comprising a reading unit which reads clip audio video (AV) streams and a reproduction unit which reproduces the clip AV streams according to clip information. However, claims 1 and 2 of co-pending Application No. 10/735,823 make no reference or suggestion of the playlist information comprising at least one playitem that corresponds to the clip AV streams.

Accordingly, Applicants respectfully assert that claims 1-3, 10 and 11 of the present application recite different features than those of the co-pending Application and respectfully request that the rejection of claims 1-3, 10 and 11 on the ground of non-statutory obviousness-type double patenting be withdrawn.

Claims 4-7 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending Application No. 10/735,823 in view of Nakai et al. (U.S. Patent No. 2,999,698).

Initially, Applicants note that claim 5 was cancelled without prejudice or disclaimer in the

Amendment filed on February 17, 2009, therefore the rejection of claim 5 is moot.

Regarding the rejection of claims 4, 6 and 7, it is noted that claims 4, 6 and 7 depend from independent claim 1, and as noted above, claim 1 is distinguishable over claims 1 and 2 of co-pending Application No. 10/735,823 in that claim 1 recites different features than those of the co-pending Application. Furthermore, Nakai also fails to teach or suggest the novel features of the independent claim. Accordingly, Applicants respectfully request that the rejection of claims 4, 6 and 7 on the ground of non-statutory obviousness-type double patenting be withdrawn.

REJECTIONS UNDER 35 U.S.C. §101:

Claims 1-7 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory matter.

Initially, Applicants note that claim 5 was cancelled without prejudice or disclaimer in the Amendment filed on February 17, 2009, and therefore, the rejection of claim 5 is moot.

Applicants respectfully note that independent claim 1 clearly recites the functional interrelationship between an apparatus and the information storage medium. As recited in independent claim 1 the motion picture recorded on the information storage medium is reproduced by the apparatus. Accordingly, Applicants believe that independent claim 1 fully complies with the requirements of 35 U.S.C. §101. Regarding the rejection of claims 2-4, 6 and 7, it is noted that these claims depend from independent claim 1 and also comply with the requirements of 35 U.S.C. §101. Accordingly, it is respectfully request that the rejection of claims 1-4, 6 and 7 under 35 U.S.C. §101 be withdrawn.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1-2 are rejected under 35 U.S.C. §102(b) as being anticipated by Kikuchi et al. (U.S. Patent No. 5,870,523).

Regarding the rejection of independent claim 1, it is noted that claim 1 recites an information storage medium for use in a recording and/or reproducing apparatus, the information storage medium storing multi-angle motion picture data corresponding to a motion picture, comprising: clip audio-video (AV) streams corresponding to motion picture data for different angles; clip information corresponding to the clip AV streams wherein each unit of the clip

information comprises an entry point map comprising information on entry points of a corresponding one of the clip AV streams for random access by the apparatus, and information on whether each of the entry points is an angle change point through which the motion picture is reproduced by the apparatus from one angle to another angle; and playlist information which comprises at least one playitem that corresponds to the clip AV streams, wherein the clip information is provided in a separate area from that of the motion picture data.

The Office Action relies on Kikuchi for a teaching of the features of independent claim 1, and states that Kikuchi teaches an information storage medium comprising clip AV streams (Fig. 30) corresponding to the motion picture data, clip information corresponding to the clip AV streams (col. 27, lines 5-44) wherein the clip information is provided in a separate area from the motion picture data (Figs. 6, 25 and 26), and playlist information (Fig. 7).

The Office Action does not clearly state what feature of Kikuchi is relied upon for a teaching of the clip audio-video (AV) stream, nor what feature of Kikuchi is relied upon for a teaching of the clip information corresponding to the clip AV stream, since Figs. 6, 25 and 26 of Kikuchi simply make reference to navigation, video, audio and sub-picture packs, all of which are part of a video object set. The Office Action simply states that the video information is stored in a different pack from the navigation information, which includes PCI data and DSI data, and therefore the Examiner states that the clip AV streams and the clip information are stored in separate areas. Accordingly, it appears the Office Action relies on the video packs and the audio packs of the video object unit for a teaching of the clip AV stream and relies on the navigation pack of the video object unit for a teaching of the clip information. Applicants respectfully traverse the Examiner's rejection of independent claim 1 for at least the following reason.

Kikuchi discloses a super density optical disk for storing video data, wherein the video data is compressed into packs, and trains of the packs are stored in a video object unit. The video object unit, which is part of the video object set, includes a navigation pack 86 (containing navigation information), video packs (containing video information), audio packs (containing audio information) and sub-picture packs (Fig. 6, item 86 and column 10, lines 66-67 through column 11, lines 1-9). Kikuchi further discloses that the navigation pack includes PCI data and DSI data (Fig. 25 and column 18, lines 5-37). Finally, Kikuchi teaches that the PCI data includes angle information (Fig. 27).

Accordingly, although Kikuchi teaches navigation, video, sub-picture and audio packs,

stored in the storage medium, Applicants respectfully note that all of these packs are part of a video object unit, which is simply part of a video manager which is part of a single clip AV stream (see Figs. 4-6 of Kikuchi and column 10, lines 28-67 and column 11, lines 1-19 and Fig. 8 of the present application). Therefore, Kikuchi at most teaches a clip AV stream.

Contrary to Kikuchi, independent claim 1 recites not only clip AV streams corresponding to motion picture data, but also recites clip information provided in a separate area from that of the motion picture data.

As noted above, the Office Action fails to clearly specify what element in Kikuchi is relied upon for a teaching of clip information but even assuming that the navigation pack taught by Kikuchi were clip information, Applicants respectfully note that Kikuchi still fails to teach or suggest that each unit of the clip information comprises an entry point map comprising information on entry points of a corresponding one of the clip AV streams for random access and information on whether each of the entry points is an angle change point through which the motion picture is reproduced by the apparatus from one angle to another angle.

As noted above, the Office Action relies on column 27, lines 5-44 for such teachings. However, column 27, lines 5-44 simply discloses that if an angle change input is supplied from the key/display section 4 in step S23, it will be checked whether there is angle data as shown in step S40 of FIG. 40. The presence/absence of angle has been given as angle information (NSULS.sub.-- ANGLE, SML.sub.-- AGLI) to both of the PCI data 113 and DSI data 115 in the navigation pack 86. If there is no angle to be changed in step S40, the message that there is no angle data will be displayed on the key/display section 4 or the monitor 6 as shown in step S41. After the message for no angle data is displayed, control goes to step S24. If there is angle data, as shown in step S42, an angle number to be changed will be specified from the key/display section 4. In this case, as explained earlier, it will be specified which of the angle information in the PCI data and the DSI data (NSULS.sub.-- ANGLEI, SML.sub.-- AGLI) is used to change the angle. When only one type of angle information is available, the selection is limited to the one type. If an angle number is specified, the target addresses (NSLS.sub.-- ANGC.sub.-- DSTA, SML.sub.-- ANG.sub.-- DSTA) of the angle cell corresponding to the specified angle number as shown in FIGS. 29 and 30 will be acquired at step S43. By this address, a cell is searched for.

Accordingly, Kikuchi at most teaches angle information of the video object unit (see Figs. 29 and 30 and column 19, lines 5-8), and not an entry point map comprising information on entry points of a corresponding one of the clip AV streams for random access and information on

whether each of the entry points is an angle change point through which the motion picture is reproduced by the apparatus from one angle to another angle. Furthermore, even assuming that the angle information were information of an entry point, Kikuchi still fails to teach or suggest information on whether each of the entry points is an angle change point, as recited in independent claim 1.

As noted in Fig. 37A, step S23, Kikuchi simply teaches determining whether an angle change point is present, Kikuchi does not teach nor does it make any reference of whether each of the entry points is an angle change point, as recited in the independent claim. Furthermore, Fig. 40, step S43 simply teaches the next cell address, not whether each of the entry points is an angle change point, as recited in the independent claim. Accordingly, Applicants respectfully assert that Kikuchi also fails to teach or suggest this other novel feature of independent claim 1.

Finally, Applicants respectfully assert that Kikuchi also fails to teach or suggest that the medium comprises playlist information comprising at least one playitem that corresponds to the clip AV streams. As noted in Figs. 6 and 7 of Kikuchi, the program chain relied upon in the Office Action for a teaching of a playlist is simply a set of programs that reproduce the title of the movie (column 12, lines 51-63). In other words, the program chain 87 is simply information recorded on the video pack of the video object unit and not part of a playlist. As a matter of fact, nowhere in Kikuchi is a playlist mentioned. Accordingly, Applicants respectfully assert that Kikuchi also fails to teach or suggest this other novel feature of independent claim 1.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 3-7, 10, and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kikuchi et al. (U.S. Patent No. 5,870,523) in view of Nakai et al. (U.S. Patent No. 5,999,698).

Initially, Applicants note that claim 5 was cancelled without prejudice or disclaimer in the Amendment filed on February 17, 2009, therefore the rejection of claim 5 is moot.

Regarding the rejection of claims 3, 4, 6 and 7, Applicants note that these claims depend from independent claim 1, and as noted above, Kikuchi fails to teach or suggest the novel features of independent claim 1.

Nakai, on the other hand, is relied for a teaching of features other than that of the clip information provided in a separate area from that of the motion picture data. Accordingly, Applicants respectfully assert that Nakai fails to cure the deficiencies of Kikuchi.

Accordingly, Applicants respectfully assert that dependent claims 3, 4, 6 and 7 are allowable at least because of their dependency from claim 1. Therefore, it is respectfully submitted that claims 3, 4, 6 and 7 also distinguish over the prior art.

Regarding the rejection of independent claim 10, it is noted that claim 10 recites some substantially similar features as claim 1. Thus, the rejection of this claim is also traversed for substantially the same reasons set forth above.

Regarding the rejection of claim 11, it is noted that this claim depends from independent claim 10 and is thus allowable, at least, because of its dependency from independent claim 10. Therefore, it is respectfully submitted that claim 11 also distinguishes over the prior art.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN, LLP

Date: 4/15/09

By: Douglas Rodriguez
Douglas X. Rodriguez
Registration No. 47,269

1400 Eye St., N.W.
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510